



**St. Charles Parish**  
**Meeting Agenda**  
**Parish Council**  
**Introductions**

St. Charles Parish Courthouse  
15045 Highway 18  
P.O. Box 302  
Hahnville, LA 70057  
985-783-5000  
scpcouncil@st-charles.la.us  
http://www.stcharlesparish-la.gov

*Council Chairman Wendy Benedetto*  
*Councilmembers Carolyn K. Schexnaydre, Snookie Faucheux,*  
*Terrell D. Wilson, William Billy Woodruff, Paul J. Hogan,*  
*Larry Cochran, Traci A. Fletcher, Julia Fisher-Perrier*

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**Monday, June 17, 2013**                      **6:00 PM**                      **Council Chambers, Courthouse**  
**Final**

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**INTRODUCTIONS**

**ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING**

**Monday, July 1, 2013, 6:00 pm, Council Chambers, Courthouse, Hahnville**

**2013-0220**    ( 6/17/2013, Hogan )

An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on Ayo Lane in Paradis to five (5) miles per hour.

Legislative History

6/17/13              Council Member(s)                      Introduced

**S\*       2013-0221**    ( 6/17/2013, St. Pierre, Jr., Department of Public Works )

An ordinance approving and authorizing the execution of Change Order No. 1 (FINAL) for Norco 5th Street Sidewalk Project, State Project No. H.006592, Control Section No. 000-45, Federal Aid Project No. 4509(501); St. Charles Project No. P091101 to balance the quantities with actual quantities resulting in a decrease of \$39,559.95 and a decrease of 9 days.

Legislative History

6/17/13              Parish President                      Introduced

**S\*       2013-0222**    ( 6/17/2013, St. Pierre, Jr., Department of Planning & Zoning )

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from W to C-3 on West Tract A & West Tract B and approximately a 1-acre site from R-1AM to C-3 on West Tract A (between 14396 & 14784 Hwy 90) Boutte, as requested by Bent's RV Rendezvous, LLC.

Legislative History

4/22/13	Department of Planning & Zoning	Received/Assigned PH	
6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council
6/17/13	Parish President	Introduced	

## S\* 2013-0223 ( 6/17/2013, St. Pierre, Jr., Department of Planning &amp; Zoning )

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change of zoning classification from R-1B to C-2 on approximately 2.35 acres, at Lots 4, 5, 6, 7, and 8 of Riverbriar Phase II as requested by June and Paul Murray, Jr.

Legislative History

5/8/13	Department of Planning & Zoning	Received/Assigned PH	
6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council
6/17/13	Parish President	Introduced	

## S\* 2013-0224 ( 6/17/2013, St. Pierre, Jr., Department of Planning &amp; Zoning )

An ordinance approving and authorizing a Home Occupation under the operation of Louise C. Nicholson - "Vea's Fun Bounce and Slide" - inflatables rentals- at 15 Pine Lane, St. Rose.

Legislative History

4/24/13	Department of Planning & Zoning	Received/Assigned PH	
6/6/13	Department of Planning & Zoning	Remnd'd Approval w/Stip.	Planning Commission

Approval with the following stipulation:

No maintenance of inflatables is to occur on the common grounds of Charlestown unless and until a letter of no objection is submitted to the Planning and Zoning Department

6/6/13	Planning Commission	Remnd'd Approval w/Stip.	Parish Council
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Approval with the following stipulation:

No maintenance of inflatables is to occur on the common grounds of Charlestown unless and until a letter of no objection is submitted to the Planning and Zoning Department

6/17/13	Parish President	Introduced	
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## S\* 2013-0225 ( 6/17/2013, St. Pierre, Jr., Department of Planning &amp; Zoning )

An ordinance to amend the St. Charles Parish Code of Ordinances Appendix A, Zoning, Sections III. Definitions, VI.(C).[III].1.a, C-2 Permitted Uses and VI.(H).[I], Historic District Permitted Uses, to add a definition for Historic Home Site Bed and Breakfast and to add the same as a permitted use in the C-2 and H zoning districts.

Legislative History

6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council
6/17/13	Parish President	Introduced	

## S\* 2013-0227 ( 6/17/2013, St. Pierre, Jr., Department of Planning &amp; Zoning, Hogan )

An ordinance to amend the St. Charles Parish Flood Damage Prevention Ordinance, Section XX.C.2, to utilize the Preliminary Digital Flood Insurance Rates Maps (DFIRMs) in determining the minimum building elevations and removing the locally established BFE for A99 Flood Zones.

Legislative History

6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council
6/17/13	Parish President	Introduced	

**2013-0226** ( 6/17/2013, St. Pierre, Jr., Department of Planning & Zoning )

An ordinance to amend the Code of Ordinances Appendix A, Zoning, Section VI.(D)[II].M-2 Heavy manufacturing and industry 1.a. to allow towing yards.

Legislative History

6/6/13	Department of Planning & Zoning	Recommended Approval	Planning Commission
6/6/13	Planning Commission	Recommended Approval	Parish Council
6/17/13	Parish President	Introduced	

**2010-0019** ( 6/17/2013, Hogan )

An ordinance to amend the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 14-3. Fireworks, to authorize the possession and the utilizing of fireworks on certain days in St. Charles Parish.

Legislative History

1/19/10	Legislative Committee	Discussed	
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Speakers:

Major Sam Zinna, Sheriff's Office  
Ms. Gwen Dufrene, Bayou Gauche  
Mr. V.J. St. Pierre, Jr., Parish President

5/24/10	Legislative Committee	Meeting Cancelled	
6/23/10	Legislative Committee	Meeting Cancelled	
7/7/10	Legislative Committee	Discussed	

Speakers:

Ms. Kimberly Marousek, Planning & Zoning Director  
Mr. Aaron Phillips, Destrehan

8/16/10	Legislative Committee	Meeting Cancelled	
8/18/10	Legislative Committee	Discussed	

Speakers:

Mr. Randy Wilson, Garyville  
Mr. Erin Phillips, Luling  
Mr. Corey Savoy, Luling  
Mr. Thomas Barreca, St. Charles Parish Fire Department

9/30/10	Legislative Committee	Meeting Cancelled	
12/15/10	Legislative Committee	Meeting Cancelled	
1/10/11	Council Member(s)	Introduced	
1/10/11	Parish Council	Publish/Scheduled PH	
1/24/11	Parish Council	Amended	Pass

Amendment: to accept the revised version of File No. 2010-0019

1/24/11	Parish Council	PH Requirements Satisfied	
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Reported:

Councilman Hogan Recommended: Approval

1/24/11	Parish Council	Approved as Amended	Fail
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VOTE ON THE PROPOSED ORDINANCE AS AMENDED

Proposed ordinance failed for lack of a majority by the following vote

1/24/11	Parish Council	Reconsidered	Pass
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Discussion: to reconsider the vote on File No. 2010-0019

1/24/11 Parish Council Approved as Amended Fail

**VOTE ON THE PROPOSED ORDINANCE AS AMENDED**

Proposed ordinance failed for lack of a majority by the following vote.

2/7/12 Legislative Committee Discussed.

**Speakers:**

Mr. Greg Champagne, St. Charles Parish Sheriff

Mr. Tommy Barreca, Fire Chief, Norco Fire Department

3/12/12 Council Member(s) Introduced

3/12/12 Parish Council Publish/Scheduled PH

3/26/12 Parish Council PH Requirements Satisfied

**Reported:**

Councilman Hogan Recommended: Approval

Councilman Nuss Recommended: Approval

**Speakers:**

Ms. Carolyn Tregre, Luling

Ms. Renee Simpson, Luling

Ms. Louise Broach, Luling

Mr. Milton Allemand, Hahnville

3/26/12 Parish Council Amended Pass

**Amendment:** to amend the proposed ordinance under SECTION I. (3) To change The possession of fireworks in accordance with laws of the State of Louisiana is hereby allowed and along with the utilization such fireworks as allowed by the laws of the State of Louisiana is hereby ...to read The possession and firing of fireworks, as defined in LRS 51:650-660 is hereby ..."

3/26/12 Parish Council Approved as Amended Fail

**VOTE ON THE PROPOSED ORDINANCE AS AMENDED**

Proposed ordinance failed for lack of a majority by the following vote.

1/22/13 Council Member(s) Introduced

1/22/13 Parish Council Publish/Scheduled PH

1/22/13 Parish Council Postponed Indefinitely from Intro. Pass

**Discussion:** to postpone indefinitely File No. 2010-0019 from introduction until the two newly elected councilmembers take office

6/17/13 Council Member(s) Introduced

**St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.**

INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING AND ZONING)

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend the Code of Ordinances Appendix A, Zoning, Section VI.(D)[II].M-2 Heavy manufacturing and industry 1.a. to allow towing yards.

**WHEREAS,** Towing yards are defined in the Zoning Ordinance as an open area used for temporary vehicle storage in which no repair, dismantling, auto-wrecking, or sale of salvaged parts occurs. Towing yards shall not exceed storage of fifty (50) vehicles and vehicles shall be stored no longer than ninety (90) days; and,

**WHEREAS,** Towing yards are only permitted in the M-1, Light Industrial, land use zoning district by Special Permit Use; and,

**WHEREAS,** Principally permitted uses in the M-1 Zoning District are also permitted in the M-2 Zoning District subject to the M-1 regulations; and,

**WHEREAS,** The M-2 Zoning District lists junkyards as a principally permitted use; and,

**WHEREAS,** The definition of a towing yard specifically prohibits dismantling; and,

**WHEREAS,** Towing yards are less intensive than junk yards as a land use; and,

**WHEREAS,** The St. Charles Parish Council wishes to allow Towing Yards as a permitted use in the M-2 zoning district subject to the M-1 Special Permit requirements.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the St. Charles Parish Code, Appendix A, Zoning Ordinance of 1981, Section VI.(D)[II].M-2 Heavy manufacturing and industry 1.a. is hereby amended to add the following:

(10) Towing yards subject to requirements in Section VI(D)(I)c(5)1-4 relisted here:

- (1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:
  - a) The storage layout and the maximum number of vehicles proposed to be stored, see Towing Yard definition for limits. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface;
  - b) A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;
  - c) A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;
  - d) All buildings and structures to be located on the site and the required off-street parking layout.
- (2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.
- (3) Towing yards shall also adhere to state and local licensing requirements.
- (4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

**RECOMMENDATIONS AT A GLANCE**

PZO-2013-09 Requested by V. J. St. Pierre, Jr., Parish President, for an ordinance to amend the St. Charles Parish Zoning Ordinance, Section VI.(D).(II).(a). to permit Towing Yards in the M-2 zoning district subject to the M-1 regulations.

**Planning Department Recommendation:**

Approval

**Planning Commission Recommendation:**

Approval

Mr. Gibbs: The last item on the agenda tonight is PZO-2013-09 Requested by V. J. St. Pierre, Jr., Parish President, for an ordinance to amend the St. Charles Parish Zoning Ordinance, Section VI.(D).(II).(a). to permit Towing Yards in the M-2 zoning district subject to the M-1 regulations. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. This is a little bit of zoning ordinance housekeeping that clears up some confusion in our office. Towing yards are a Special Permit Use in the M-1 zoning district. In the past someone may have made an interpretation that it meant that if you follow a pyramid, which people say zoning should do, that would mean that a towing yard should be permitted just because in the next zoning district which is not exactly correct because the zoning ordinance is more like the Christmas Tree where some things don't actually flow naturally to the next level as a permitted use. So what we're saying is they should be considered a permitted use but we need to make sure that they follow the same site development guidelines that are required in the M-1 zoning district so we're just putting it in print and making it legit and clear, so that we're not interpreting the zoning ordinance the way we shouldn't be interpreting it.

Mr. Gibbs: Thank you Ms. Stein. This is a public hearing for PZO-2013-09, there is no one to speak in favor or against so Commission members cast your vote please.

YEAS: Pierre, Booth, Gibbs, Galliano, Frangella

NAYS: None

ABSENT: Foster

ABSTAIN: Loupe (has not been sworn in)

Mr. Gibbs: That's unanimous with Mr. Foster absent.

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**2010-0019**

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV**  
**ORDINANCE NO. \_\_\_\_\_**

An ordinance to amend the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 14-3. Fireworks, to authorize the possession and the utilizing of fireworks on certain days in St. Charles Parish.

**WHEREAS,** the discharging of fireworks for Independence Day and New Years is an American tradition; and,

**WHEREAS,** the sale of fireworks is allowed in Lafourche Parish, St. John the Baptist Parish, and the City of Gretna, all in close proximity to St. Charles Parish, and many residents are utilizing fireworks in St. Charles Parish; and,

**WHEREAS,** the strict enforcement of the fireworks prohibition in St. Charles Parish is extremely hard to enforce due to the availability of fireworks in such close proximity to the Parish; and,

**WHEREAS,** this ordinance will allow residents to possess and to utilize fireworks for the celebration of each New Year and the celebration of the Independence of Our Nation on specific days and during specific hours.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 14 – 3 Fireworks (b) Exception. is hereby amended by adding the following:

- (3) The possession of fireworks in accordance with laws of the State of Louisiana is hereby allowed and along with the utilization such fireworks as allowed by the laws of the State of Louisiana is hereby allowed on July 3 from 9:00 a.m. to 10:00 p.m., July 4 from 9:00 a.m. to 10:00 p.m., December 31 from 9:00 a.m. to 1:00 a.m. on January 1, and January 1 from 9:00 a.m. to 10:00 p.m., provided such fireworks are not discharged within 1,000 feet of a gas station or industrial facility or within other location(s) specifically prohibited by ordinance.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2013, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_